

### **REMARKS**

The foregoing amendments and the remarks that follow are meant to impart precision to the claims, and more particularly point out the invention, rather than to avoid prior art.

Claims 10-13, 15, 16, and 32-37 were pending when the present Office Action was mailed on March 9, 2007. In this response, claims 10, 32, 34, 37 have been amended. Accordingly, claims 10-13, 15, 16, and 32-37 are currently pending.

### **CLAIM REJECTIONS - 35 USC § 103**

The Examiner has rejected claims 10-13, 15, 16, and 32-37 under 35 USC § 103(a) as being unpatentable over U.S. Patent No. 6,101,486, to Roberts et al. ("Roberts") in view of U.S. Patent No. 6,330,550, to Brisebois et al. ("Brisebois"). Applicant respectfully disagrees.

### **The cited references do not disclose all of the claimed subject matter**

Applicant respectfully submits that when viewed as a whole, the cited references do not show the subject matter recited in the pending claims.

MPEP (2143.03) provides

“To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).” (Manual of Patent Examining Procedure (MPEP) 2143.03).

1. *The cited references do not show "receiving a request from a first user to add a data set of a second user profile to a first user profile"*
2. *The cited references do not show "the request is to be identified in response to receiving a URL access request by the first user to access URL, the URL provided by the second user to the first user"*

Applicant's independent claims 10, 34 and 37 include claimed subject matter that are not taught nor suggested by the references. Therefore, Applicant's independent claims are patentable over the references. In particular, Applicant's independent claims 10, 34 and 37 include the claim language of "receiving a request from a first user to add a data set of a second user profile to a first user profile" where "the request is to be identified in response to receiving a URL access request by the first user to access URL, the URL provided by the second user to the first user".

When viewed as a whole, the cited references neither shows "receiving a request from a first user to add a data set of a second user profile to a first user profile" where "the request is to be identified in response to receiving a URL access request by the first user to access URL, the URL provided by the second user to the first user". For example, claim 10 includes:

10. A method, comprising:

receiving a request from a first user to add a data set of a second user profile to a first user profile, ...;

wherein the request is to be identified in response to receiving a URL access request by the first user to access URL, the URL provided by the second user to the first user, the URL having a second user identifier to correspond to the second user profile; ...

The Examiner asserts (Office Action mailed March 9th, 2007, Page 2) that Roberts discusses "a method of adding to a first user profile corresponding to first user a data set retrieved from a second user profile corresponding to a second user in response to a single HTTP request made by the first user, the HTTP request corresponding to a URL provided by the second user to the first

user and including a second user identifier corresponding to the second user profile (Roberts, col. 2, lines 50-59)". Applicant respectfully disagrees.

While Roberts discusses "a method and system for gathering and storing customer profile data when the customer accesses a website location (Roberts, abstract)", Roberts does not discuss or teach "receiving a request from a first user to add a data set of a second user profile to a first user profile" where "the request is to be identified in response to receiving a URL access request by the first user to access URL, the URL provided by the second user to the first user", as claimed by applicant in independent claims 10, 34, and 37.

For example, in Roberts:

*"Systems and methods consistent with this invention accomplish these goals and provide other advantages by automatically collecting customer profile information when the customer accesses a company's website." (Col. 2, lines 31-38)*

In Roberts, when a customer contacts (i.e., visits or accesses) the company web site, the customer profile is retrieved from the profile database. The method of Roberts of "collecting customer profile information when the customer accesses a company's website" is contrastingly different from "receiving a request from a first user to add a data set of a second user profile to a first user profile" where "the request is to be identified in response to receiving a URL access request by the first user to access URL, the URL provided by the second user to the first user", as claimed by applicant in independent claims 10, 34, and 37. The mere discussion of retrieving the profile of a customer who accesses a company website by Roberts, is clearly insufficient for teaching or suggesting "receiving a request from a first user to add a data set of a second user profile to a first user profile" where "the request is to be identified in response to receiving a URL access request by the first user to access URL, the URL provided by the second user to the first user", as claimed by applicant.

In fact, applicant respectfully submits that Roberts teaches away from the claimed subject matter of "receiving a request from a first user to add a data set of a second user profile to a first user profile" where "the request is to be identified in response to receiving a URL access request by the first user to access URL, the URL provided by the second user to the first user" since in Roberts, the user information of the customer who accesses the URL is obtained by a website, which is the opposite of obtaining a different user's information by accessing a URL.

Accordingly, applicant submits that Roberts teaches away from the claimed subject matter of "receiving a request from a first user to add a data set of a second user profile to a first user profile" where "the request is to be identified in response to receiving a URL access request by the first user to access URL, the URL provided by the second user to the first user", as claimed by applicant in independent claims 10, 34, and 37. Therefore, Applicant respectfully submits that the claimed limitations recited in independent claims 10, 34, and 37 are not obvious over Roberts, and/or the additional art.

The Examiner further asserts (Office Action mailed March 9th, 2007, Page 3) that the method of Roberts further discusses "using the second user identifier to selectively retrieve data from the second user profile (Roberts, col. 6, lines 21-35)". Applicant respectfully disagrees.

*3. The cited references do not show "the URL having a second user identifier to correspond to the second user profile"*

Applicant's independent claims 10, 34 and 37 include claim limitations that are not taught nor suggested by the references. Therefore, Applicant's independent claims are patentable over the references. In particular, Applicant's independent claims 10, 34 and 37 include the limitation of "the URL having a second user identifier to correspond to the second user profile".

When viewed as a whole, the cited references do not show "the URL having a second user identifier to correspond to the second user profile". For example, claim 10 includes the limitations of:

10. A method, comprising:

... wherein the request is to be identified in response to receiving a URL access request by the first user to access URL, the URL provided by the second user to the first user, the URL having a second user identifier to correspond to the second user profile; ...

Roberts discusses obtaining the user customer profile when the customer visits a website. For example, in Roberts,

*"When the customer contacts (i.e., visits or accesses) the company website (Step 410), **the customer profile is retrieved from profile database 170** by AC device 155 (Step 420) ... retrieving various dynamic content messages and displaying them on customer terminal 110 when the customer is viewing the company's website." (Col. 6, lines 21-23)*

The website or URL of Roberts corresponds to a company webpage. The company's URL (webpage), when accessed by a customer, retrieves the customer profile of the customer. Thus, the company URL as described by Roberts does not involve a user, nor does the URL involve "having a second user identifier to correspond to the second user profile". Thus, applicant respectfully submits that Roberts does not motivate, teach, or suggest a URL "having a second user identifier to correspond to the second user profile" as claimed by applicant in independent claims 10, 34, and 37.

The Examiner has rejected independent claims 10, 34, 37, and dependent claims 11-13, 15, 16, and 32-37 under 35 USC § 103(a) as being unpatentable over U.S. Patent No. 6,101,486, to Roberts et al. ("Roberts") in view of U.S. Patent No. 6,330,550, to Brisebois et al. ("Brisebois").

Brisebois was cited for the additional limitations recited in the independent claims 10, 34, 37. Brisebois discusses systems and methods to facilitate a transaction between a user and a party represented by a server on a network.

Brisebois, however, also does not show the corresponding limitations,

1. "receiving a request from a first user to add a data set of a second user profile to a first user profile" where
2. "the request is to be identified in response to receiving a URL access request by the first user to access URL, the URL provided by the second user to the first user", and
3. "the URL having a second user identifier to correspond to the second user profile", as claimed by applicant in independent claims 10, 34, and 37.

Thus, even if Roberts and Brisebois were combined, the resulting disclosure and teaching would be different from what is claimed by the applicant in independent claims 10, 34, and 37. The resulting disclosure would not include the limitations of "receiving a request from a first user to add a data set of a second user profile to a first user profile" where "the request is to be identified in response to receiving a URL access request by the first user to access URL, the URL provided by the second user to the first user", and "the URL having a second user identifier to correspond to the second user profile" as claimed by Applicant. Thus, without admitting to the propriety of combining Roberts and Brisebois in a way presented in the Office Action, Applicant submits that independent claims 10, 34, and 37 are patentable over Roberts, Brisebois, and the combination of Roberts and Brisebois, at least for the above stated reasons.

Therefore, the withdrawal of the rejection of Applicant's independent claims based on the combination suggested in the Office Action is respectfully requested, at least for the above stated reasons.

Since the cited references do not show each and every aspect of the independent claims 10, 34, and 37, the dependent claims 11-13, 15, 16, and 32-37 of these independent claims are also patentable over the cited references, at least for the above discussed reasons. The withdrawal of the rejections is respectfully requested for claims 11-13, 15, 16, and 32-37.


**CONCLUSION**

It is respectfully submitted that all of the Examiner's objections and rejections have been addressed and that the application is now in a condition for allowance. Accordingly, Applicant respectfully requests reconsideration and allowance of the application.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-2207, under Order No. 418268646US from which the undersigned is authorized to draw.

Dated: September 10, 2007

Respectfully submitted,

By   
\_\_\_\_\_  
William F. Ahmann  
Registration No.: 52,548  
PERKINS COIE LLP  
101 Jefferson Drive  
Menlo Park, California 94025-1114  
(650) 838-4300  
(650) 838-4350 (Fax)  
Attorney for Applicant